

3/12/15

4:01 p.m.

Chapter No. 304  
15/HR26/R307CS  
ff 1EW

## ***HOUSE BILL NO. 1399***

Originated in House



Clerk

HOUSE BILL NO. 1399

AN ACT TO REENACT SECTIONS 55-15-51 THROUGH 55-15-62, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR THE MISSISSIPPI VETERANS MONUMENT COMMISSION; TO AMEND REENACTED SECTION 55-15-61, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT FUNDS IN THE SHILOH CONFEDERATE MEMORIAL TRUST FUND MAY BE USED FOR THE DEDICATION OF THE MISSISSIPPI CONFEDERATE MEMORIAL AT THE SHILOH NATIONAL MILITARY PARK; TO AMEND SECTION 55-15-63, MISSISSIPPI CODE OF 1972, TO EXTEND THE REPEALER ON THE SECTIONS OF LAW PROVIDING FOR THE MISSISSIPPI VETERANS MONUMENT COMMISSION; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

**SECTION 1.** Section 55-15-51, Mississippi Code of 1972, is reenacted as follows:

55-15-51. It is hereby found and determined by the Legislature that many thousands of Mississippians have served in the Armed Forces of the United States; that the Mississippi veterans have not received the recognition and honor they deserve for service to their country; and that an appropriate monument should be established and maintained as a symbol of the recognition and appreciation of the State of Mississippi to Mississippi veterans.

**SECTION 2.** Section 55-15-53, Mississippi Code of 1972, is reenacted as follows:

55-15-53. (1) From and after March 26, 1997, the present membership of the Mississippi Veterans Monument Commission shall cease serving on the commission. From and after March 26, 1997, the Mississippi Veterans Monument Commission shall consist of the following seven (7) members:

(a) The Chairman of the Mississippi War Veterans Memorial Commission, who shall serve as Secretary of the Mississippi Veterans Monument Commission;

(b) The Executive Secretary of the State Veterans Affairs Board;

(c) The Director of the Division of General Services in the Department of Finance and Administration;

(d) Three (3) members appointed by the Governor, one (1) from each of the three (3) state Supreme Court districts as follows:

(i) One (1) veteran of World War II;

(ii) One (1) veteran of the Korean Conflict; and

(iii) One (1) veteran of the Vietnam Conflict;

(e) One (1) veteran of the Persian Gulf Conflict, appointed from the state at large by the Lieutenant Governor.

(2) The initial meeting of the commission shall be called and chaired by the Chairman of the Mississippi War Veterans Memorial Commission, until the monument commission shall choose a

chairman from among its members. Thereafter, the commission shall elect a chairman each year, and the commission may meet at the call of the chairman once each month. Minutes of the meetings of the commission shall be kept in a well-bound book and, along with all other records and papers, shall remain in the custody of the secretary of the commission. A majority of the commission shall constitute a quorum for the transaction of business. All actions taken or rules and regulations adopted by the commission shall be by resolution duly spread upon its minutes, showing yea and nay votes of each member present. The signature of the chairman and secretary, pursuant to a duly adopted resolution, shall be binding upon the commission.

(3) The appointed members of the Mississippi Veterans Monument Commission shall receive per diem compensation in the amount authorized under Section 25-3-69 for each day or portion thereof spent in the performance of the duties of the commission and shall be entitled to reimbursement for travel expenses while on commission business as authorized under Section 25-3-41. Other members of the commission shall not be entitled to compensation but shall be entitled to reimbursement for travel expenses as authorized under Section 25-3-41 while on commission business. Commission members shall be limited to reimbursement of travel expenses and per diem compensation authorized herein for no more than twelve (12) meetings per year.

(4) When the Mississippi Veterans Monument Commission ceases to exist, all records of the Mississippi Veterans Monument Commission shall become the property of the Mississippi War Veterans Memorial Commission.

(5) The Mississippi War Veterans Memorial Commission shall have continuing oversight responsibility over all activities pertaining to all Mississippi veterans monuments.

(6) The Mississippi Veterans Monument Commission shall continue in existence under the provisions of this chapter after the design, construction and dedication of the Mississippi veterans monument until July 1, 2006, so that such commission can provide for the design, construction and dedication of future monuments to be located at sites designated by the Mississippi Veterans Monument Commission.

**SECTION 3.** Section 55-15-55, Mississippi Code of 1972, is reenacted as follows:

55-15-55. The Mississippi Veterans Monument Commission is hereby authorized and directed to cause to be constructed and maintained an appropriate monument to honor Mississippi veterans when adequate funds for the construction thereof are deposited in the Veterans Monument Trust Fund herein created.

**SECTION 4.** Section 55-15-57, Mississippi Code of 1972, is reenacted as follows:

55-15-57. The Mississippi Veterans Monument Commission shall:

(a) Plan and provide for the design, construction and dedication of the Mississippi veterans monument. The actual design and site of the monument shall be selected with the approval of the Mississippi Department of Archives and History.

(b) Solicit private monetary donations for deposit into the Veterans Monument Trust Fund.

(c) Report to the Legislature by November 15 of each year on the progress of such monument. In addition to the report required in the preceding sentence, the commission shall submit an annual report on its activities no later than November of each year to the Military Affairs Committees of both the Mississippi House of Representatives and the Mississippi Senate.

**SECTION 5.** Section 55-15-59, Mississippi Code of 1972, is reenacted as follows:

55-15-59. The Mississippi Veterans Monument Commission is hereby authorized to accept gifts, grants and donations from individuals and organizations, to be deposited in the Veterans Monument Trust Fund which is hereby created in the State Treasury. The State Treasurer shall invest all monies in the Veterans Monument Trust Fund and any interest earned shall be deposited into the fund. All appropriated funds and funds deposited in the Veterans Monument Trust Fund shall be used exclusively for the purpose of designing, erecting, maintaining and dedication of the veterans monument, except that not more than Seven Thousand Five Hundred Dollars (\$7,500.00) may be expended annually to pay the

administrative costs of the commission. Costs associated with the designing, erecting, maintaining and dedication of the veterans monument are not considered commission administrative costs for purposes of this section. Upon completion of the monument, money in the trust fund shall be utilized by the Mississippi War Veterans Memorial Commission for maintenance of the veterans monument and memorials.

**SECTION 6.** Section 55-15-61, Mississippi Code of 1972, is reenacted and amended as follows:

55-15-61. (1) In addition to the duties assigned to the Mississippi Veterans Monument Commission in Sections 55-15-55, 55-15-57 and 55-15-59, Mississippi Code of 1972, the commission shall plan and provide for the design, construction and dedication of a Mississippi Confederate memorial at the Shiloh National Military Park. In planning the design, construction and dedication of the memorial, the commission shall consult with and be advised by an advisory committee composed of one (1) member of the House of Representatives appointed by the Speaker, one (1) member of the Senate appointed by the Lieutenant Governor, and three (3) representatives from the Mississippi Department of the Sons of Confederate Veterans. The Mississippi Department of the Sons of Confederate Veterans shall designate such representatives and certify them to the commission. The commission shall solicit private monetary donations for deposit into a Shiloh Confederate Memorial Trust Fund which is hereby created in the State Treasury.

Private or corporate donations of any kind to the trust fund may be matched by the state using any appropriations made for that purpose by the Legislature; however, any state match shall not exceed Two Hundred Fifty Thousand Dollars (\$250,000.00) in the aggregate. The commission is also authorized to accept for deposit into the trust fund grants or donations made to it from any other source. All funds deposited in the trust fund shall be used exclusively for the purpose of designing, constructing, dedicating and maintaining the monument.

(2) The board of supervisors of any county and the governing authorities of any municipality are hereby authorized and empowered, in their discretion, to make contributions out of any available county or municipal funds, as appropriate, to the Shiloh Confederate Memorial Trust Fund.

**SECTION 7.** Section 55-15-62, Mississippi Code of 1972, is reenacted as follows:

55-15-62. (1) In addition to the duties assigned to the Mississippi Veterans Monument Commission in Sections 55-15-55, 55-15-57 and 55-15-59, Mississippi Code of 1972, the commission is hereby authorized, subject to any available funds, to plan and provide for the design, construction and dedication of a monument recognizing Mississippi recipients of the Congressional Medal of Honor. In planning the design, construction and dedication of the monument, the commission shall consult with and be advised by the State Veterans Affairs Board. The commission may solicit private



monetary donations for deposit into a Congressional Medal of Honor Monument Trust Fund which is hereby created in the State Treasury. Private donations to the trust fund may be accepted. The commission is also authorized to accept for deposit into the trust fund grants or donations made to it from any other source. All funds deposited in the trust fund shall be used exclusively for the purpose of designing, constructing and maintaining the monument.

(2) The board of supervisors of any county and the governing authorities of any municipality are hereby authorized and empowered, in their discretion, to make contributions out of any available county or municipal funds, as appropriate, to the Congressional Medal of Honor Monument Trust Fund.

**SECTION 8.** Section 55-15-63, Mississippi Code of 1972, is amended as follows:

55-15-63. Sections 55-15-51 through 55-15-62, Mississippi Code of 1972, which create and empower the Mississippi Veterans Monument Commission, are repealed on July 1, \* \* \* 2016.

**SECTION 9.** This act shall take effect and be in force from  
and after July 1, 2015.

PASSED BY THE HOUSE OF REPRESENTATIVES  
February 5, 2015

  
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SPEAKER OF THE HOUSE OF REPRESENTATIVES

PASSED BY THE SENATE  
March 5, 2015

  
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PRESIDENT OF THE SENATE

APPROVED BY THE GOVERNOR

  
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GOVERNOR

3/12/15  
4:01pm